

HOUSE BILL 462

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0lr1736

By: **Delegates Kaiser, McIntosh, and Mizeur**
Introduced and read first time: January 29, 2010
Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Education – Discrimination Prohibited – Protected Classes**

3 FOR the purpose of conforming provisions of law relating to discrimination in the
4 employment of teachers in the public schools in the State to other provisions of
5 State law governing discrimination in employment; and generally relating to
6 protected classes of employees under provisions of law governing discrimination
7 in the employment of teachers in the public schools in the State.

8 BY repealing and reenacting, with amendments,
9 Article – Education
10 Section 6–104
11 Annotated Code of Maryland
12 (2008 Replacement Volume and 2009 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article – Education**

16 6–104.

17 (a) This section applies to the appointment, assignment, compensation,
18 promotion, transfer, dismissal, and any other matter that relates to the employment of
19 teachers in the public schools in this State.

20 (b) The State Superintendent, a county board, a county superintendent, or
21 an assistant to any one of these may not make any distinction or discriminate in favor
22 of or against any teacher in the employment of a public school of this State because of
23 race, religion, color, **ANCESTRY OR** national origin, [handicap, or] sex, **AGE, MARITAL**
24 **STATUS, SEXUAL ORIENTATION, OR DISABILITY UNRELATED IN NATURE AND**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 EXTENT SO AS TO REASONABLY PRECLUDE THE PERFORMANCE OF THE
2 EMPLOYMENT except[:

3 (1) As], AS to sex, if the employment of a certain sex is reasonably
4 necessary because of the nature of the employment[; and

5 (2) As to handicap, if the handicap adversely affects the person's
6 ability to perform the duties of the position].

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2010.